

1 Michael L. Schrag (SBN 185832)
2 Joshua J. Bloomfield (SBN 212172)
3 **GIBBS LAW GROUP LLP**
4 505 14th Street, Suite 1110
5 Oakland, California 94612
6 Telephone: (510) 350-9700
7 Facsimile: (510) 350-9701
8 mls@classlawgroup.com
9 jjb@classlawgroup.com

10
11 *Counsel for Plaintiff Kopfmann
12 and the Proposed Class*

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1 WHEREAS, on August 6, 2020, the United States Judicial Panel on Multidistrict Litigation
2 centralized four cases against StubHub, Inc.: *Alcarez v. StubHub, Inc.*, Case No. 4:20-cv-02595-HSG;
3 *Kopfmann v. StubHub, Inc.*, Case No. 4:20-cv-03025-HSG; *Reynolds v. StubHub, Inc. et al.*, Case No.
4 1:20-cv-03508-AKH (S.D.N.Y.); and *McMillan v. StubHub, Inc. et al.*, Case No. 3:20-cv-00319-JDP
5 (W.D. Wis.). Dkt. No. 36;

6 WHEREAS, two tag-along actions are pending in this District: *Wood v. StubHub, Inc.*, Case No.
7 4:20-cv-04125-YGR; and *Dobner v. StubHub, Inc.*, Case No. 3:20-cv-04786-EMC;

8 WHEREAS, Plaintiffs in the above-captioned centralized actions (except for *Reynolds*, whose
9 counsel has not responded to requests for input) and tag-along actions (together “Plaintiffs”) and
10 Defendants StubHub, Inc. and Last Minute Transactions, Inc. (“Defendants”), have met and conferred
11 in an effort to submit a joint proposed pre-trial schedule; and

12 WHEREAS, Plaintiff Kopfmann files this Joint Proposed Initial Scheduling Order with the
13 consent of Defendants and all other Plaintiffs in the centralized actions (except *Reynolds*) and tag-along
14 actions; and

15 WHEREAS, Defendants further advise this Honorable Court that no summons has been issued,
16 or served, upon Defendants in the *Reynolds* matter filed on May 5, 2020. Accordingly, unless the Court
17 dismisses the *Reynolds* case on its own, Defendants intend to file promptly a motion to dismiss that
18 matter only for failure to comply with Fed. R. Civ. P. 4(m).

19 THEREFORE, THE PARTIES AGREE AND JOINTLY REQUEST that the Court enter an
20 order setting the following schedule:

21

- 22 • Seven (7) days after the Court enters this initial scheduling Order, Plaintiffs will file any
23 motions for the appointment of Interim Lead Counsel. Leadership briefs shall not exceed
24 ten (10) pages (exclusive of firm resumes, which may be attached), and no opposition briefs
25 shall be permitted.

26

- 27 • After the appointment of Interim Lead Counsel, the parties shall meet and confer regarding
28 an initial schedule covering Plaintiffs’ Consolidated Amended Complaint, Defendants’

1 response(s), and any resulting briefing, as well as the exchange of initial disclosures and
2 holding the Fed. R. Civ. P. 26(f) conference, and shall submit that proposed joint schedule
3 or competing schedules to the Court no later than seven (7) days after the appointment of
4 Interim Lead Counsel.

5
6 IT IS SO STIPULATED.

7 Dated: August 12, 2020

8 Respectfully submitted,

9 **GIBBS LAW GROUP LLP**

10 */s/ Michael L. Schrag*
11 Michael L. Schrag
12 Joshua J. Bloomfield
13 505 14th Street, Ste. 1110
14 Oakland, California 94612
15 Telephone: 510-350-9700
16 Facsimile: 510-350-9701
17 mls@classlawgroup.com
18 jjb@classlawgroup.com

19 *Attorneys for Plaintiff Michelle Kopfmann*
20 *and the Proposed Class*

21 **BURSOR & FISHER, P.A.**

22 */s/ L. Timothy Fisher*
23 L. Timothy Fisher
24 Yeremey Krivoshey
25 1990 North California Blvd., Suite 940
26 Walnut Creek, CA 94596
27 Telephone: (925) 300-4455
Facsimile: (925) 407-2700
ltfisher@bursor.com
ykrivoshey@bursor.com

28 **BURSOR & FISHER, P.A.**

29 Scott A. Bursor
30 2665 S. Bayshore Dr., Suite 220
31 Miami, FL 33133-5402
32 Telephone: (305) 330-5512
33 Facsimile: (305) 676-9006
34 scott@bursor.com

35 *Attorneys for Plaintiff Jason Alcaraz*
36 *and the Proposed Class*

LIDDLE & DUBIN, P.C.

/s/ Nicholas A. Coulson
Nicholas A. Coulson*
Steven D. Liddle*
975 E. Jefferson Avenue
Detroit, Michigan 48207
Telephone: 313-392-0015
Facsimile: 313-392-0025
ncoulson@ldclassaction.com
sliddle@ldclassaction.com
*pro hac vice applications forthcoming

*Attorneys for Plaintiff Matthew McMillan
and the Proposed Class*

AHDOOT & WOLFSON, PC

/s/ Tina Wolfson
Tina Wolfson
Theodore W. Maya
Bradley K. King
10728 Lindbrook Drive
Los Angeles, California 90024
Telephone: (310) 474-9111
Facsimile: (310) 474-8585
twolfson@ahdootwolfson.com
tmaya@ahdootwolfson.com
bking@ahdootwolfson.com

WITTELS MCINTURFF PALIKOVIC

/s/ Steven L. Wittels
Steven L. Wittels
J. Burkett McInturff
Tiasha Palikovic
18 Half Mile Road
Armonk, New York 10504
Telephone: (914) 319-9945
Facsimile: (914) 273-2563
slw@wittelslaw.com
jbm@wittelslaw.com
tpalikovic@wittelslaw.com

*Attorneys for Plaintiff Stephanie Wood
and the Proposed Class*

GUTRIDE SAFIER LLP

/s/ Seth Safier
Seth A. Safier
Anthony Patek

Tekesha Geel (PHV forthcoming)
Hayley Reynolds
100 Pine Street, Suite 1250
San Francisco, CA 94111

*Attorneys for Plaintiff Nina Dobner
and the Proposed Class*

MCDERMOTT WILL & EMERY LLP

/s/ William P. Donovan, Jr.

William P. Donovan, Jr.
2049 Century Park East
Suite 3200
Los Angeles, CA 90067-3206
Telephone: (310) 277-4110
Facsimile: (310) 277-4730

Attorneys for Defendants StubHub, Inc. and Last Minute Transactions, Inc.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: STUBHUB REFUND LITIGATION

Case No. 20-md-2951-HSG

This Document Relates to All Cases

JOINT PROPOSED INITIAL SCHEDULING ORDER

(Centralized Actions: No. 4:20-02595 (N.D. Cal.); No. 4:20-03025 (N.D. Cal.); No. 1:20-03508 (S.D.N.Y.); and No. 3:20-00319 (W.D. Wis.))

(Tag-along Actions: No. 4:20-04125 (N.D. Cal.); and 3:20-04786 (N.D. Cal.))

1 WHEREAS, on August 6, 2020, the United States Judicial Panel on Multidistrict Litigation
 2 centralized four cases against StubHub, Inc.: *Alcarez v. StubHub, Inc.*, Case No. 4:20-cv-02595-HSG;
 3 *Kopfmann v. StubHub, Inc.*, Case No. 4:20-cv-03025-HSG; *Reynolds v. StubHub, Inc. et al.*, Case No.
 4 1:20-cv-03508-AKH (S.D.N.Y.); and *McMillan v. StubHub, Inc. et al.*, Case No. 3:20-cv-00319-JDP
 5 (W.D. Wis.). Dkt. No. 36;

6 WHEREAS, two tag-along actions are pending in this District: *Wood v. StubHub, Inc.*, Case No.
 7 4:20-cv-04125-YGR; and *Dobner v. StubHub, Inc.*, Case No. 3:20-cv-04786-EMC;

8 WHEREAS, Plaintiffs in the above-captioned centralized actions (except for *Reynolds*, whose
 9 counsel has not responded to requests for input) and tag-along actions (together “Plaintiffs”) and
 10 Defendants StubHub, Inc. and Last Minute Transactions, Inc. (“Defendants”), have met and conferred
 11 in an effort to submit a joint proposed pre-trial schedule; and

12 WHEREAS, Plaintiff Kopfmann files this Joint Proposed Initial Scheduling Order with the
 13 consent of Defendants and all other Plaintiffs in the centralized actions (except *Reynolds*) and tag-along
 14 actions; and

15 WHEREAS, Defendants further advise this Honorable Court that no summons has been issued,
 16 or served, upon Defendants in the *Reynolds* matter filed on May 5, 2020. Accordingly, unless the Court
 17 dismisses the *Reynolds* case on its own, Defendants intend to file promptly a motion to dismiss that
 18 matter only for failure to comply with Fed. R. Civ. P. 4(m).

19 The parties agree and jointly request that the Court enter an order setting the following
 20 schedule:

21

- 22 • Seven (7) days after the Court enters this initial scheduling Order, Plaintiffs will file any
 23 motions for the appointment of Interim Lead Counsel. Leadership briefs shall not exceed
 24 ten (10) pages (exclusive of firm resumes, which may be attached), and no opposition briefs
 25 shall be permitted.

26

- 27 • After the appointment of Interim Lead Counsel, the parties shall meet and confer regarding
 28 an initial schedule covering Plaintiffs’ Consolidated Amended Complaint, Defendants’

1 response(s), and any resulting briefing, as well as the exchange of initial disclosures and
2 holding the Fed. R. Civ. P. 26(f) conference, and shall submit that proposed joint schedule
3 or competing schedules to the Court no later than seven (7) days after the appointment of
4 Interim Lead Counsel.

5
6 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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8 Dated: 8/13/2020

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11 HONORABLE HAYWOOD S. GILLIAM, JR.
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